

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

ROSEN SCHAFFER & DIMEO, P.C.
BY: ILENE SCHAFFER, ESQ.
IDENTIFICATION NO.: 34418
121 S. BROAD STREET, SUITE 800
PHILADELPHIA, PA 19107
(215) 864-9440

ATTORNEY FOR PLAINTIFF

<hr/> JAMES REEVES, III	:	CIVIL ACTION
	:	
VS.	:	NO. 02-4428
	:	
VANESSA CARTER-MORAGNE et al.	:	
<hr/>	:	

To the Honorable, the Judges of the Said Court:

The Petition of Althea Jacobs, parent and natural guardian of James Reeves, III by their attorney Ilene Schaffer, Esquire respectfully represents:

1. That she is the parent and natural guardian of James Reeves, III who resides at 1934 Dalkeith Street, Philadelphia, PA 19140, age 11 years, his date of birth is [REDACTED] and his social security number is [REDACTED].
2. On February 6, 2002, said minor was struck by a bullet in Imani Education Circle Charter School at 5612 Greene Street in the City and County of Philadelphia fired accidentally by defendant, Vanessa Carter-Moragne.
3. The minor, James Reeves, sustained a wound to his right cheek requiring five stitches and resulting in a permanent scar. See attached report of Dr. Glatt.
4. Counsel has incurred the following costs:

Filing fees \$446.50

Investigation fee \$125.00

Medical records \$534.81

Court Reporter \$663.50

5. The following medical bill is still due and owing:

Dr. Andrea Miner-Isaacson \$375.50

6. Counsel furthermore requests an attorney fee of (33 1/3%) of the recovery equaling \$8,332.50.

7. Petitioner and counsel recommend approval of the settlement in the gross amount of \$25,000.00 for the minor, negotiated with the defendant's insurance company because they believe it adequately represents a full and complete settlement of the case, equal to or greater than that which may be obtained should the matter be fully litigated.

8. Petitioner and counsel furthermore request approval of payment to Althea Jacobs, separate and apart from the settlement for James Reeves, III , in the amount of \$2,500.00, subject to no attorney's fees or costs, representing reimbursement of her time and expenses incurred.

9. Your petitioners approve of the proposed settlement because they consider it fair and reasonable and that it adequately compensates for the injuries sustained, and expenses incurred, and they do further approve the proposed distribution contained in the form of Order attached hereto.

WHEREFORE, Petitioner prays that an Order be entered approving a compromise and ordering distribution as set forth above.

ROSEN SCHAFFER & DIMEO, P.C.

DATE: _____

BY: _____
ILENE SCHAFFER, ESQUIRE,
Attorney for Petitioner

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	:	

DECREE

AND NOW this day of , 2003, upon consideration of the foregoing Petition for Approval of Minor's Compromise, it is ORDERED that the settlement of this action for the gross sum of \$25,000.00 for James Reeves, III, be and is hereby approved, counsel fees and expenses are allowed, and distribution directed as follows:

Settlement Amount	\$25,000.00
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Less Costs:

Medical Records	\$534.81
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Filing Fees	\$446.50
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Court Reporter	\$663.50
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Investigation	\$125.00
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Dr. Andrea Miner-Isaacson	\$375.50
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Total Costs \$2,144.81

Less Attorney's Fees:

Attorney Fee	\$8,332.50
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Sub Total	\$10,477.31
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Net Amount Due Client:	\$14,522.69
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This amount is payable to James Reeves, III, a minor to be placed in a federally insured savings account or federally insured savings certificate to be marked: "Not to be withdrawn until said minor reaches the age of 18, or without an Order from a Court of competent jurisdiction."

Furthermore, Althea Jacobs shall receive the sum of \$2,500.00 not subject to any attorney's fees or costs.

BY THE COURT: _____
J.

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JURY TRIAL DEMANDED

ATTORNEY FOR PLAINTIFF

<u>JAMES REEVES, III</u>	:	CIVIL ACTION
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	:	

MEMORANDUM OF LAW

In accordance with the facts set forth in the attached Petition, plaintiff and their counsel seek approval of settlement of this case in the amount of \$25,000.00 for the minor and distribution of this fund as set forth in the attached proposed Order.

Respectfully Submitted,

ROSEN SCHAFFER & DIMEO, P.C.

BY: ILENE SCHAFFER, ESQUIRE

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AFFIDAVIT OF COUNSEL

I, ILENE SCHAFFER, ESQUIRE being duly sworn according to law, depose and say that I am the attorney for the plaintiff and that I am satisfied with the \$25,000.00 settlement for the minor plaintiff reached considering all aspects of this claim and injuries sustained by the minor plaintiff.

ROSEN SCHAFFER & DIMEO, P.C.

BY: _____
ILENE SCHAFFER, ESQUIRE

SWORN TO AND SUBSCRIBED
BEFORE ME THIS
DAY OF _____, 2003.

NOTARY PUBLIC

COMMONWEALTH OF PENNSYLVANIA :
 :SS
COUNTY OF PHILADELPHIA :

I, ALTHEA JACOBS being duly sworn according to law depose and state that I am the parent and natural guardian of James Reeves, age 11 years, and that I have been advised of the settlement of the minor's claim in the above captioned matter in the amount of \$25,000.00. I further depose and state that I approve of the distribution of the settlement proceeds as set forth in the attached Petition to Compromise Minor's Claim and Decree. I further depose and state that James Reeves, a minor, has fully recovered from the injuries other than his scar sustained in the accident of February 6, 2002 and that the facts set forth in the Petition are true and correct to the best of my information knowledge and belief.

ALTHEA JACOBS

SWORN TO AND SUBSCRIBED
BEFORE ME THIS DAY
OF , 2003.

NOTARY PUBLIC